



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
HEADQUARTERS, UNITED STATES ARMY MEDICAL COMMAND  
2050 WORTH ROAD  
FORT SAM HOUSTON, TEXAS 78234-6000


13 JUL 2006

MCCG

MEMORANDUM FOR COMMANDERS, MEDCOM MAJOR SUBORDINATE  
COMMANDS

SUBJECT: Prohibition on Working for Contractors in Government Workspaces while on  
Transition Leave

1. The purpose of this memorandum is to clarify and emphasize the rules applicable to officers who begin employment with government contractors while on transition leave (formerly terminal leave) from the Army. Officers on transition leave are prohibited from working for government contractors in government workspaces because this constitutes inappropriate representation of an outside organization to the government. I expect all leaders and supervisors at all levels to ensure that retiring officers are briefed on these restrictions and that all directorates ensure compliance with these rules.
2. Although it is permissible in some instances for Soldiers to go to work for Army contractors after their retirement or separation, it is essential for them to understand and comply with the many restrictions to which they are subject. One such restriction is 18 USC § 203, which makes it a criminal offense when a military officer "demands, seeks, accepts or agrees to receive compensation for representational services" in relation to any matter in which the United States is a party or has a direct and substantial interest. The term "representational services" has been broadly interpreted to include working for a contractor in any capacity while in a Federal workspace.
3. It is imperative that retiring Army officers be apprised of this prohibition and that no officer be permitted to work for a contractor in Army workspaces until that officer's actual retirement date. Violations of this statute may result in imprisonment for up to 5 years, fines and a civil penalty of up to \$50,000. This prohibition does not apply to enlisted Soldiers. Soldiers should contact their ethics counselor for further details.
4. POC is COL Victor Horton, MEDCOM Staff Judge Advocate, at (210) 221-8400.

  
KEVIN C. KILEY  
Lieutenant General, MC  
Commanding